

Filed for intro on 02/08/95
Senate Bill _____
By _____

House No. HB0821
By Davis

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AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 10, relative to special education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-10-101(a)(1), is amended by deleting the words "and maximize the capacities".

SECTION 2. Tennessee Code Annotated, Section 49-10-101, is further amended by adding the following new subsection:

(d) The state board of education shall promulgate no rules or regulations which go beyond the federal statutes, rules, or regulations governing education for children with disabilities.

SECTION 3. Tennessee Code Annotated, Section 49-10-102(1)(A), is amended by deleting the following:

certified under the regulations of the state board of education by a specialist as being unsuited for enrollment in regular classes of the public schools

and substituting the following:

determined by an M-team to be unable to be educated

SECTION 4. Tennessee Code Annotated, Section 49-10-102(1)(B), is amended by deleting the subdivision in its entirety and substituting the following:

(B) "Child with disabilities" includes the mentally retarded; the speech and/or language impaired; the deaf and hearing impaired; the blind and visually limited; the orthopedically impaired and/or other health impairments including homebound and hospitalized; the learning disabled including the seriously emotionally disturbed; the multiple disabled; the autistic; and the traumatic brain injured.

SECTION 5. Tennessee Code Annotated, Section 49-10-108(a)(1), is amended by deleting the subdivision in its entirety and substituting the following:

(a)(1) Every school district shall identify, locate, and evaluate, or cause to be identified, located, and evaluated, all children residing within its jurisdiction who have disabilities and who are in need of special education and related services.

SECTION 6. Tennessee Code Annotated, Section 49-10-108(a)(2), is amended by deleting the words "tests and examinations" and substituting the word "evaluations".

SECTION 7. Tennessee Code Annotated, Section 49-10-108(a), is further amended by deleting subdivision (a)(3) in its entirety.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.

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